

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q92027

Eiju SUZUKI, et al.

Appln. No.: 10/562,157

Group Art Unit: 1796

Confirmation No.: 6585

Examiner: Fred M. Teskin

Filed: December 23, 2005

For: BUTADIENE-BASED POLYMER AND METHOD OF PRODUCING THE SAME AS  
WELL AS RUBBER COMPOSITION AND TIRE USING THE SAME

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore the fee of \$180.00

INFORMATION DISCLOSURE STATEMENT  
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under 37 C.F.R. § 1.17(p) is being remitted, and a Statement Under 37 C.F.R. § 1.97(e) is being submitted.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

Applicant encloses herewith a copy of an Office Action issued on September 8, 2009 from the Japanese Patent Office in a counterpart Japanese Application No. 2003-181042 citing such documents.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

1. An English language abstract of WO 00/52062 submitted herewith constitutes a concise statement of relevance of WO 00/52062.
2. An English language abstract of WO 02/38635 submitted herewith constitutes a concise statement of relevance of WO 02/38635.

Applicant notes that JP 2002-187908, JP 2001-048940, JP 2002-256012, JP 07-188316, JP 55-066903, JP 07-165811 and JP 2000-34320 cited in the Office Action were previously submitted with the IDS filed December 23, 2005.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: October 7, 2009

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**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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**STATEMENT UNDER 37 C.F.R. § 1.704(d)**

Commissioner for Patents

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Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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